



# Journal of the Senate

Number 3—Special Session B

Thursday, October 25, 2001

## CONTENTS

Announcements	49
Call to Order	35, 43
Co-Sponsors	52
Committee Substitutes, First Reading	50
Conference Committee Appointments	49
House Messages, First Reading	36
Introduction and Reference of Bills	35
Motions	35, 36, 37
Motions Relating to Committee Reference	35
Reports of Committees	50
Rules Revision	44
Special Guests	44
Special Order Calendar	38, 43, 45
Statement of Intent	49

## CALL TO ORDER

The Senate was called to order by President McKay at 9:36 a.m. A quorum present—39:

Mr. President	Garcia	Posey
Brown-Waite	Geller	Pruitt
Burt	Holzendorf	Rossin
Campbell	Jones	Sanderson
Carlton	King	Saunders
Clary	Klein	Sebesta
Constantine	Latvala	Silver
Cowin	Laurent	Smith
Crist	Lee	Sullivan
Dawson	Meek	Villalobos
Diaz de la Portilla	Miller	Wasserman Schultz
Dyer	Mitchell	Webster
Futch	Peaden	Wise

Excused: Senator Lawson; Senators Brown-Waite and Crist after 1:40 p.m.

## PRAYER

The following prayer was offered by Senator Daryl L. Jones:

Dear Lord God, we know that because we are your children, your DNA is in our souls. Therefore, nothing is beyond our grasp. In your vast greatness you have the responsibility to hold together the universe and we appreciate your attention to the detail of our daily lives. We thank you for every benefit we enjoy and every adversity we endure, which reflect your loving discipline meant to make us better. You have been a part of our process and deliberations, and we know that you will help us accomplish our appointed task. We, the Florida Senate, thank you, Lord, for your love, strength and guidance. Amen.

## PLEDGE

Senator Brown-Waite led the Senate in the pledge of allegiance to the flag of the United States of America.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lee, by two-thirds vote **CS for SB 30-B** and **CS for SB 32-B** were withdrawn from the Committee on Appropriations.

On motion by Senator Lee, by two-thirds vote **CS for SB 38-B, SB 40-B, CS for SB 42-B, SB 48-B, SB 52-B, CS for SB 56-B, CS for SB 58-B, CS for SB 60-B, CS for SB 62-B, CS for SB 64-B, CS for SB 66-B, CS for SB 68-B, CS for SB 70-B, CS for SB 72-B, CS for SB 74-B, CS for SB 76-B, CS for SB 78-B, CS for SB 80-B and SB 94-B** were withdrawn from the Committee on Rules and Calendar.

On motion by Senator Lee, by two-thirds vote **SB 54-B** was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the end of the Special Order Calendar.

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

#### Motion

Senator Lee moved to allow **SB 96-B**, relating to the sale or transfer of firearms at gunshows, to be admitted for introduction outside the purview of the Governor's call. The motion failed to receive the required constitutional two-thirds vote of the membership.

#### Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bill was admitted for introduction outside the purview of the Governor's call:

By Senators Geller, Lee, Smith, Campbell, Mitchell, Silver, Wasserman Schultz, Meek, Miller, Klein, Lawson and Jones—

**SB 98-B**—A bill to be entitled An act relating to homeowners' associations; amending s. 720.3075, F.S.; providing that any homeowner may display a United States flag; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; and Rules and Calendar.

### RECONSIDERATION

On motion by Senator King, by two-thirds vote the Senate reconsidered the vote by which **SB 96-B** failed to receive the required constitutional two-thirds vote of the membership to allow introduction outside the purview of the Governor's call.

#### Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bill was admitted for introduction outside the purview of the Governor's call:

By Senator Wasserman Schultz—

**SB 96-B**—A bill to be entitled An act relating to sale or transfer of firearms at gun shows; amending s. 790.001, F.S.; defining the terms

“gun show,” “gun-show promoter,” and “gun-show vendor”; creating s. 790.0653, F.S.; prohibiting the sale or transfer of a firearm by a gun-show vendor at a gun show unless a criminal history background check of the prospective transferee has been conducted; requiring approval of the transfer from the Department of Law Enforcement; providing a third-degree-felony penalty for violation; providing a third-degree-felony penalty for the willful and knowing provision of false identification or fraudulent information concerning the sale or transfer of a firearm at a gun show; requiring licensed gun dealers conducting criminal history background checks at gun shows to record the transfer of a firearm and retain records as otherwise required by law; requiring gun-show promoters to arrange for the services of one or more licensed gun dealers to be on the premises of a gun show for the purpose of obtaining background checks; requiring posting of specified notice at gun shows; providing a first-degree-misdemeanor penalty for failure to post such notice; exempting antique firearms from the requirements of the act; authorizing licensed gun dealers to charge a fee for conducting background checks at gun shows; providing an effective date.

—was referred to the Committees on Criminal Justice; and Rules and Calendar.

### Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bill was admitted for introduction outside the purview of the Governor’s call:

By Senator King—

**SB 100-B**—A bill to be entitled An act relating to the excise tax on aviation fuel; reducing the amount of the excise tax imposed on each gallon of aviation fuel sold in this state; providing for future repeal; providing an effective date.

—was referred to the Committees on Transportation; and Rules and Calendar.

### Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bill was admitted for introduction outside the purview of the Governor’s call:

By Senator Futch—

**SB 102-B**—A bill to be entitled An act relating to the local option tourist development tax; amending s. 125.0104, F.S.; providing that the additional tax authorized for bonds for a professional sports franchise facility, a retained spring training franchise facility, or a convention center, and for operation and maintenance costs of a convention center, and the additional tax authorized for bonds for facilities for a new professional sports franchise or a retained spring training franchise, may also be used to promote and advertise tourism; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; and Rules and Calendar.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

#### Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bill was admitted for introduction outside the purview of the Governor’s call:

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds

vote of the membership and passed HB 1-B and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Fasano and others—

**HB 1-B**—A bill to be entitled An act relating to compensation of legislators; amending s. 11.13, F.S.; reducing the compensation of legislators for a specified period; providing for future repeal of such reduction; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

### Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bill was admitted for introduction outside the purview of the Governor’s call:

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed HB 9-B and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Alexander and others—

**HB 9-B**—A bill to be entitled An act relating to compensation of public officials and employees called to active military service; amending s. 115.14, F.S.; authorizing the employing authorities of public officials and employees to supplement the military pay of those officials and employees who are called to active service in either the National Guard or a reserve component of the Armed Forces of the United States; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

### Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bill was admitted for introduction outside the purview of the Governor’s call:

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed HB 21-B and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Sobel and others—

**HB 21-B**—A bill to be entitled An act relating to homeowners’ associations; amending s. 720.3075, F.S.; providing that any homeowner may display a United States flag; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; and Rules and Calendar.

### Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bill was admitted for introduction outside the purview of the Governor’s call:

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed HB 25-B and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Mack and others—

**HB 25-B**—A bill to be entitled An act relating to patriotic programs in the public schools; amending s. 233.0655, F.S.; requiring programs of a patriotic nature; requiring district school board rules; providing an effective date.

—was referred to the Committees on Education; and Rules and Calendar.

#### Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bill was admitted for introduction outside the purview of the Governor's call:

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed HB 27-B, as amended, and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Baker and others—

**HB 27-B**—A bill to be entitled An act relating to determinations of residency for tuition purposes; amending s. 240.1201, F.S.; revising provisions relating to determinations of residency for tuition purposes to classify certain members of the Florida National Guard as residents for tuition purposes; providing an effective date.

—was referred to the Committees on Education; and Rules and Calendar.

#### Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bill was admitted for introduction outside the purview of the Governor's call:

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed HB 37-B and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Baxley and others—

**HB 37-B**—A bill to be entitled An act relating to determination of resident status for tuition purposes; amending s. 240.1201, F.S.; providing for classification as residents of dependent children of certain active duty members of the Armed Services; providing an effective date.

—was referred to the Committees on Education; and Rules and Calendar.

#### Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bill was admitted for introduction outside the purview of the Governor's call:

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed HB 43-B and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Arza and others—

**HB 43-B**—A bill to be entitled An act relating to student withdrawal from courses due to military service; requiring rules by district school boards, community college district boards of trustees, and university boards of trustees; providing that a student shall not suffer academic or financial penalties; authorizing the refund of fees; providing an effective date.

—was referred to the Committees on Education; and Rules and Calendar.

#### Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bill was admitted for introduction outside the purview of the Governor's call:

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed HB 47-B and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Stansel and others—

**HB 47-B**—A bill to be entitled An act relating to educational benefits for dependent children of military personnel who died or incurred total and permanent disability while participating in Operation Enduring Freedom; creating s. 295.0185, F.S.; providing educational opportunity at state expense for dependent children of military personnel who died or suffered a service-connected 100-percent total and permanent disability in Operation Enduring Freedom; specifying documentation which constitutes proof of eligibility for such benefits; providing an effective date.

—was referred to the Committees on Education; and Rules and Calendar.

#### Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bill was admitted for introduction outside the purview of the Governor's call:

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed HB 53-B and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Holloway and others—

**HB 53-B**—A bill to be entitled An act relating to education; authorizing individual district school boards by resolution to allow invocation or benediction at specified secondary school-related events; providing legislative intent; providing an effective date.

—was referred to the Committees on Education; and Rules and Calendar.

## SPECIAL ORDER CALENDAR

**CS for SB 2-B**—A bill to be entitled An act making appropriations; providing appropriations and reductions in appropriations for the 2001-2002 fiscal year, to pay salaries, and other expenses, capital outlay – buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the second time by title.

Senator Cowin moved the following amendment:

**Amendment 1 (995012)—**

In Section: 06 On Page: 081 Specific Appropriation: 485-Z  
Delete

Insert

235A

HIGHWAY SAFETY AND MOTOR VEHICLES,  
DEPARTMENT OF  
Program: Florida Highway Patrol  
Highway Safety

485-Z In Section 06 On Page 081  
Expenses

From General Revenue Fund -5,000,000

CORRECTIONS, DEPARTMENT OF  
Program: Security And Institutional  
Operations  
Adult Male Custody Operations

235A In Section 04 On Page 047  
Special Categories  
Private Institutions - Correctional  
Privatization Commission

From General Revenue Fund 125,872 689,200

Program: Education And Programs  
Adult Substance Abuse Prevention,  
Evaluation And Treatment Services

253-Z In Section 06 On Page 049  
Special Categories  
Contract Drug Abuse Services

From General Revenue Fund 1,575,131

Basic Education Skills

254A In Section 04 On Page 049  
Salaries And Benefits

From General Revenue Fund 874,128 1,772,758

JUVENILE JUSTICE, DEPARTMENT OF  
Program: Prevention And Victim Services  
Delinquency Prevention And Diversion

346A In Section 04 On Page 061  
Special Categories  
Grants And Aids - Children/Families In  
Need Of Services

From General Revenue Fund 1,962,911

Senator Cowin moved the following substitute amendment which was adopted:

**Substitute Amendment 1 (995024)—**

In Section: 06 On Page: 081 Specific Appropriation: 483  
Delete

Insert

HIGHWAY SAFETY AND MOTOR VEHICLES,  
DEPARTMENT OF

Program: Florida Highway Patrol  
Highway Safety

483 In Section 06 On Page 081  
Expenses

From General Revenue Fund -26,632 -5,026,632

CORRECTIONS, DEPARTMENT OF  
Program: Security And Institutional  
Operations  
Adult Male Custody Operations

In Section 04 On Page 047  
Special Categories  
Private Institutions - Correctional  
Privatization Commission

From General Revenue Fund 125,872 689,200

Program: Education And Programs  
Adult Substance Abuse Prevention,  
Evaluation And Treatment Services

253-Z In Section 06 On Page 049  
Special Categories  
Contract Drug Abuse Services

From General Revenue Fund 1,575,131

Basic Education Skills

254A In Section 04 On Page 049  
Salaries And Benefits

From General Revenue Fund 874,128 1,772,758

JUVENILE JUSTICE, DEPARTMENT OF  
Program: Prevention And Victim Services  
Delinquency Prevention And Diversion

346A In Section 04 On Page 061  
Special Categories  
Grants And Aids - Children/Families In  
Need Of Services

From General Revenue Fund 1,962,911

Senator Clary moved the following amendment:

**Amendment 2 (995013)—**

In Section: 06 On Page: 079 Specific Appropriation: 474  
Delete

Insert

GOVERNOR, EXECUTIVE OFFICE OF THE  
Program: General Office  
Executive Direction And Support Services

474 In Section 06 On Page 079  
Salaries And Benefits

Positions -28 -1  
From General Revenue Fund -1,642,434 -61,812  
From Grants And Donations Trust -44,459 0  
Fund

474A Salaries And Benefits

Positions 23 0  
From General Revenue Fund 1,313,946 0  
From Grants And Donations Trust 35,568 0  
Fund

Executive Planning And Budgeting				Substitute Amendment 2 (995026)—			
				In Section: 06 On Page: 079 Specific Appropriation: 474			
				Delete			
				Insert			
476	Salaries And Benefits						
	Positions	-25	-2				
	From General Revenue Fund	-1,580,904	-100,000				
476A	Salaries And Benefits				GOVERNOR, EXECUTIVE OFFICE OF THE Program: General Office Executive Direction And Support Services		
	Positions	21	0				
	From General Revenue Fund	1,264,721	0	474	In Section 06 On Page 079 Salaries And Benefits		
	Program: Office Of Tourism, Trade And Economic Development Executive Direction And Support Services				Positions	-28	-1
					From General Revenue Fund	-1,642,434	-61,812
					From Grants And Donations Trust Fund	-44,459	0
476-Z	Lump Sum Executive Office Of The Governor - Office Of Tourism, Trade And Economic Development			474A	Salaries And Benefits		
	From General Revenue Fund		-5,663		Positions	23	0
					From General Revenue Fund	1,313,946	0
					From Grants And Donations Trust Fund	35,568	0
	Economic Development Programs And Projects				Executive Planning And Budgeting		
	In Section 06 On Page 080						
477-Z	Lump Sum Communities With Special Needs/Economic Opportunities			476	Salaries And Benefits		
	From General Revenue Fund		-38,713		Positions	-25	-2
					From General Revenue Fund	-1,580,904	-100,000
477-Z	Lump Sum Industries Critical To Florida's Economic Base And Future Growth			476A	Salaries And Benefits		
	From General Revenue Fund		-5,878		Positions	21	0
					From General Revenue Fund	1,264,721	0
					Program: Office Of Tourism, Trade And Economic Development Executive Direction And Support Services		
477	Lump Sum Business Expansion, Retention, And Recruitment			476-Z	Lump Sum Executive Office Of The Governor - Office Of Tourism, Trade And Economic Development		
	From General Revenue Fund	-3,021,333	-5,719,050		From General Revenue Fund		-5,663
477A	Lump Sum Business Expansion, Retention, And Recruitment				Economic Development Programs And Projects		
	From General Revenue Fund	3,021,333	5,600,000				
	HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF Program: Licenses, Titles And Regulations Driver Licensure			477-Z	In Section 06 On Page 080 Lump Sum Communities With Special Needs/Economic Opportunities		
	In Section 06 On Page 081				From General Revenue Fund		-38,713
495	Salaries And Benefits			477-Z	Lump Sum Industries Critical To Florida's Economic Base And Future Growth		
	From General Revenue Fund	-11,958,816	-10,000,000		From General Revenue Fund		-5,878
	From Highway Safety Operating Trust Fund	11,958,816	10,000,000				
	Program: Florida Highway Patrol Highway Safety						
	In Section 06 On Page 080			477	Lump Sum Business Expansion, Retention, And Recruitment		
482	Salaries And Benefits				From General Revenue Fund	-3,021,333	-5,719,050
	From General Revenue Fund		-2,272,371				
	From Highway Safety Operating Trust Fund		2,272,371				
				477A	Lump Sum Business Expansion, Retention, And Recruitment		

Senator Clary moved the following substitute amendment which was adopted:

From General Revenue Fund 3,021,333 5,600,000

HIGHWAY SAFETY AND MOTOR VEHICLES,  
DEPARTMENT OF  
Program: Licenses, Titles And Regulations  
Driver Licensure

495 In Section 06 On Page 081  
Salaries And Benefits

From General Revenue Fund -11,958,816 -10,000,000  
From Highway Safety Operating Trust 11,958,816 10,000,000  
Fund

Program: Florida Highway Patrol  
Highway Safety

482 In Section 06 On Page 080  
Salaries And Benefits

From General Revenue Fund -147,084 -2,419,455  
From Highway Safety Operating Trust 2,272,371  
Fund

Consideration of **Amendment 3** was deferred.

Senator Wasserman Schultz offered the following amendment which was moved by Senator Sullivan and adopted:

**Amendment 4 (995015)—**

In Section: 02 On Page: 012 Specific Appropriation: 59  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants/K-12 Programs -  
FEFP

59 In Section 02 On Page 012  
Aid To Local Governments  
Grants And Aids - Instructional Materials

From General Revenue Fund -87,077,512 -13,324,808

59A In Section 02 On Page 013  
Aid To Local Governments  
Restore As Non-Recurring-Grants And Aids  
- Instructional Materials

From Principal State School Trust 32,073,494 385,000  
Fund

And strike the paragraph of proviso following Specific Appropriation 59A on page 13.

1H In Section 01 On Page 002  
Aid To Local Governments  
Restore As Non-Recurring-Grants And Aids  
- Instructional Materials

From Educational Enhancement Trust 41,679,210 0  
Fund

And strike the paragraph of proviso following Specific Appropriation 1H on page 2.

60 In Section 02 On Page 013  
Aid To Local Governments  
Grants And Aids - Public School  
Technology

From General Revenue Fund -2,141,880 -34,325,000

1-Z In Section 01 On Page 002  
Aid To Local Governments  
Grants And Aids - Public School  
Technology

From Educational Enhancement Trust 34,325,000  
Fund

And insert the following new paragraph of proviso following Specific Appropriation 1-Z on page 2.

The restoration from non-recurring funds appropriation in Specific Appropriation 1-Z for Public School Technology shall be allocated among school districts as a prorated adjustment to the allocation of Public School Technology funds calculated using the appropriation and allocation method established in Specific Appropriation 120A, Chapter 2001-253, Laws of Florida.

61 In Section 02 On Page 013  
Aid To Local Governments  
Grants And Aids - Student Transportation

From General Revenue Fund -25,663,199 -67,232,783

1-Z In Section 01 On Page 002  
Aid To Local Governments  
Grants And Aids - Student Transportation

From Educational Enhancement Trust 7,354,210  
Fund

And insert the following new paragraph of proviso following Specific Appropriation 1-Z on page 2:

The restoration of non-recurring funds appropriation in Specific Appropriation 1-Z for Student Transportation shall be allocated among school districts as a prorated adjustment to the allocation of Student Transportation funds calculated using the appropriation and allocation method established in Specific Appropriation 121, Chapter 2001-253, Laws of Florida.

61-A In Section 02 On Page 013  
Aid To Local Governments  
Grants And Aids - Student Transportation

From Principal State School Trust 31,688,494  
Fund

And insert the following new paragraph of proviso following Specific Appropriation 61-A on page 13.

The restoration from non-recurring funds appropriation in Specific Appropriation 61-A for Student Transportation shall be allocated among school districts as a prorated adjustment to the allocation of Student Transportation funds calculated using the appropriation and allocation method established in Specific Appropriation 121, Chapter 2001-253, Laws of Florida.

Senator Silver offered the following amendment which was moved by Senator Sullivan and adopted:

**Amendment 5 (995016)—**

In Section: 02 On Page: 011 Specific Appropriation: 44  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: Executive Direction Support  
Services

44 In Section 02 On Page 011  
Special Categories  
Contracted Services

From Principal State School Trust Fund	-10,000,000	-9,615,000
--	-------------	------------

Insert the following new paragraph of proviso following Specific Appropriation 44 on page 11:

The reduced appropriation in Specific Appropriation 44 shall apply to the expenditure of funds to evaluate all existing and emerging technologies that affect the performance of students and teachers except for development of a web-based standards and accountability management pilot program that allows teachers to correlate an FCAT standards-based lesson plan, grade book and resource bank on or before December 15, 2001. Applications to the Department of Education shall require a minimum of two years experience in the implementation of web-based modules which are based on FCAT standards including, but not limited to, grading applications, lesson plans, as well as discipline, attendance and parent-teacher communications.

Program: State Grants/K-12 Programs -  
FEFP

59A In Section 02 On Page 013  
Aid To Local Governments  
Restore As Non-Recurring-Grants And Aids  
- Instructional Materials

From Principal State School Trust Fund	32,073,494	31,688,494
--	------------	------------

Senators Burt and Cowin offered the following amendment which was moved by Senator Cowin and adopted:

**Amendment 6 (995021)—**

In Section: 04 On Page: 046 Specific Appropriation: 230A-Z  
Delete Insert

CORRECTIONS, DEPARTMENT OF  
Program: Department Administration  
Executive Direction And Support Services

230A-Z In Section 04 On Page 046  
Expenses

From General Revenue Fund	75,000
---------------------------	--------

Immediately following Specific Appropriation 230A-Z, INSERT:

The appropriation in Specific Appropriation 230A-Z includes a transfer of \$75,000 from the General Revenue Fund in Specific Appropriation 232-Z. With these funds, the Department of Corrections is directed to enter into agreements with Miami-Dade, Broward, Hillsborough, and Pinellas Counties to implement video conferencing pilot projects to reduce the risk and costs associated with transporting inmates between prisons and court houses for judicial hearings. The video conferencing pilot project shall be coordinated with the Office of the State Courts Administrator, the State Technology Office, and the Commission on Capital Cases. At a minimum, the agreements with the counties participating in the pilot projects must include provisions for each county to: (1) reimburse the department for its share of the costs of purchasing and installing equipment; (2) reimburse the department for its share of the annual costs of operating the project; (3) reimburse the department for its share of the replacement costs of equipment; (4) identify the FY 2000-2001 cost incurred for the transportation of inmates between prisons and county court houses.

Funds received from the counties as reimbursement for the costs of purchasing, installing, or operating the video conferencing pilot project shall be deposited in the Grants and Donations Trust Fund in the Department of Corrections. After receiving reimbursement from the counties, the department may request additional spending authority in the Grants and Donations Trust Fund in accordance with the provisions of s. 216.181(11), Florida Statutes, subject to the consultation provisions of s. 216.177, Florida Statutes.

By December 1, 2002, the Department of Corrections is directed to submit a report to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor detailing: (1) the total cost of purchasing and installing equipment; (2) the prisons in

which equipment was installed; (3) the dates by which the equipment was installed and the video conferencing system was operational in each prison and in each court; (4) the FY 2001-2002 cost incurred by the counties involved in the pilot project for transporting inmates between prisons and county court houses; and (5) the projected annual cost to be incurred by the department in escorting and monitoring inmates during video conferencing sessions.

Program: Security And Institutional  
Operations  
Adult Male Custody Operations

232-Z Expenses

From General Revenue Fund	-75,000
---------------------------	---------

Senators Smith and Cowin offered the following amendment which was moved by Senator Cowin and adopted:

**Amendment 7 (995022)—**

In Section: 04 On Page: 063 Specific Appropriation: 363  
Delete Insert

LEGAL AFFAIRS, DEPARTMENT OF, AND  
ATTORNEY GENERAL  
Program: Office Of Statewide Prosecution  
Prosecution Of Multi-Circuit Organized  
Crime

363 In Section 04 On Page 063  
Special Categories  
Statewide Prosecution

In Section 04, on Page 63, INSERT the following:

The reduced appropriation in Specific Appropriations 362 and 363 reflect a ten percent reduction in General Revenue and a ten percent increase / fund shift in available trust funds within the Office of Statewide Prosecution. Because this reduction may impact the operations of the Office of Statewide Prosecution and in an effort to assess this organization's effectiveness and efficiency, the Office of Program Policy Analysis and Governmental Accountability (OPPAGA) shall immediately begin an organization-wide review of the Office of Statewide Prosecution (OSWP) that shall examine, at a minimum, the following issues:

1. Cost effectiveness and efficiency;
2. Economic viability - i.e., do the efforts/work of the OSWP duplicate the efforts of the State's Attorneys? Can the work of the OSWP be completed at a lower unit cost by Florida's State Attorneys?; and
3. Examine current State Attorney/OSWP jurisdictional authority, identify potential jurisdictional conflicts, if any, and proposed solutions, as well as determine the operational impact to the State Attorneys for handling multi-jurisdictional prosecutions.

OPPAGA shall publish its report by January 15, 2002.

**Amendments 8 and 9** were withdrawn.

Senator Miller moved the following amendment which failed:

**Amendment 10 (995017)—**

In Section: 02 On Page: 012 Specific Appropriation: 57  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants/K-12 Programs -  
FEFP

57 In Section 02 On Page 012  
Aid To Local Governments  
Grants And Aids - Florida Educational  
Finance Program

Insert the following new paragraph of proviso following Specific Appropriation 57 on page 12:

Contingent upon passage of legislation making appropriate changes to the notice requirements contained in S.236.081(4), F.S. and S.200, F.S., total unadjusted required local effort taxes for 2001-2002 shall be \$4,818,265,785.

The vote was:

Yeas—17

Campbell	Jones	Pruitt
Dawson	Klein	Rossin
Dyer	Latvala	Smith
Garcia	Meek	Villalobos
Geller	Miller	Wasserman Schultz
Holzendorf	Mitchell	

Nays—19

Mr. President	King	Sebesta
Carlton	Laurent	Silver
Clary	Lee	Sullivan
Constantine	Peaden	Webster
Cowin	Posey	Wise
Crist	Sanderson	
Diaz de la Portilla	Saunders	

Vote after roll call:

Nay to Yea—Crist

Senator Webster moved the following amendment which was adopted:

**Amendment 11 (995018)—**

In Section: 02 On Page: 013 Specific Appropriation: 64  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants K/12 Program - Non  
FEFP

64 In Section 02 On Page 013  
Aid To Local Governments  
Grants And Aids - Florida Virtual High  
School  
From General Revenue Fund -1,703,264 -385,008

Program: Educational Media & Technology  
Services

90 In Section 02 On Page 017  
Special Categories  
Grants And Aids - Florida Information  
Resource Network  
From General Revenue Fund -1,318,256

**Amendment 12** was withdrawn.

Senator King moved the following amendment:

**Amendment 3 (995014)—**

In Section: 06 On Page: 080 Specific Appropriation: 478-Z  
Delete Insert

GOVERNOR, EXECUTIVE OFFICE OF THE  
Program: Office Of Tourism, Trade And  
Economic Development  
Economic Development Programs And  
Projects

In Section 06 On Page 080  
478-Z Lump Sum  
Stimulus For Economic Development

From General Revenue Fund	19,000,000
From Tourism Promotion Trust Fund	1,000,000

Immediately following Specific Appropriation 478-Z, INSERT:

Funds in Specific Appropriation 478-Z are non-recurring. Such funds shall be allocated to the Florida Commission on Tourism/VISIT FLORIDA to enhance tourism promotion initiatives.

Senator King moved the following substitute amendment which was adopted:

**Substitute Amendment 3 (995027)—**

In Section: 06 On Page: 080 Specific Appropriation: 478-Z  
Delete Insert

GOVERNOR, EXECUTIVE OFFICE OF THE  
Program: Office Of Tourism, Trade And  
Economic Development  
Economic Development Programs And  
Projects

478-Z In Section 06 On Page 080  
Lump Sum  
Stimulus For Economic Development

From General Revenue Fund	19,000,000
From Tourism Promotion Trust Fund	1,000,000

Immediately following Specific Appropriation 478-Z, INSERT:

Funds in Specific Appropriation 478-Z are non-recurring. Such funds shall be allocated to the Florida Commission on Tourism/VISIT FLORIDA to enhance tourism promotion initiatives. The Florida Commission on Tourism/VISIT FLORIDA shall ensure that a dollar for dollar private industry match is provided.

**SENATOR SILVER PRESIDING**

**THE PRESIDENT PRESIDING**

On motion by Senator Carlton, by two-thirds vote **CS for SB 2-B** as amended was read the third time by title, passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Futch	Sanderson
Brown-Waite	Garcia	Saunders
Burt	Geller	Sebesta
Campbell	King	Silver
Carlton	Latvala	Smith
Clary	Laurent	Sullivan
Constantine	Lee	Villalobos
Cowin	Peaden	Webster
Crist	Posey	Wise
Diaz de la Portilla	Pruitt	

Nays—10

Dawson	Klein	Mitchell
Dyer	Meek	Rossin
Holzendorf	Miller	Wasserman Schultz
Jones		

**MOTIONS**

On motion by Senator Carlton, the rules were waived and staff of the Committee on Appropriations was instructed to make technical changes in **CS for SB 2-B** as necessary.

**RECESS**

On motion by Senator Lee, the Senate recessed at 12:23 p.m. to reconvene at 1:30 p.m. or upon call of the President.



## CALL TO ORDER

The Senate was called to order by the President at 1:40 p.m. A quorum present—36:

Mr. President	Holzendorf	Rossin
Burt	Jones	Sanderson
Campbell	King	Saunders
Carlton	Klein	Sebesta
Clary	Latvala	Silver
Constantine	Laurent	Smith
Cowin	Lee	Sullivan
Dawson	Meek	Villalobos
Diaz de la Portilla	Miller	Wasserman Schultz
Dyer	Mitchell	Webster
Futch	Peaden	Wise
Garcia	Posey	
Geller	Pruitt	

King	Peaden	Silver
Latvala	Posey	Sullivan
Laurent	Pruitt	Villalobos
Lee	Rossin	Wasserman Schultz
Meek	Sanderson	Webster
Miller	Saunders	Wise
Mitchell	Sebesta	

Nays—None

Vote after roll call:

Yea—Holzendorf, Klein

## SPECIAL ORDER CALENDAR, continued

**CS for SB 4-B**—A bill to be entitled An act implementing the 2001-2002 supplemental appropriations act; amending s. 216.023, F.S.; providing directives for executive agencies and the judicial branch in adjusting performance measures and standards to respond to budgetary modifications; providing a directive to the Department of Juvenile Justice; amending s. 339.135, F.S.; requiring adjustment of the adopted work program of the Department of Transportation to include certain economic stimulus projects; limiting the use of funds for state-employee travel; providing an expiration date and an effective date.

—was read the second time by title.

On motion by Senator Carlton, by two-thirds vote **CS for SB 4-B** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Garcia	Pruitt
Burt	Geller	Sanderson
Campbell	King	Saunders
Carlton	Klein	Sebesta
Clary	Latvala	Silver
Constantine	Laurent	Sullivan
Cowin	Lee	Villalobos
Diaz de la Portilla	Peaden	Webster
Futch	Posey	Wise
Nays—9		
Dawson	Jones	Mitchell
Dyer	Meek	Rossin
Holzendorf	Miller	Wasserman Schultz

Consideration of **SB 34-B** was deferred.

**SB 6-B**—A bill to be entitled An act relating to the General Inspection Trust Fund; amending ss. 496.405, 496.409, 496.410, 496.419, F.S.; eliminating restrictions on the use of funds deposited into the General Inspection Trust Fund of the Department of Agriculture and Consumer Services; providing an effective date.

—was read the second time by title. On motion by Senator Clary, by two-thirds vote **SB 6-B** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Constantine	Futch
Burt	Cowin	Garcia
Campbell	Dawson	Geller
Clary	Dyer	Jones

**SB 8-B**—A bill to be entitled An act relating to the County Article V Trust Fund; amending s. 25.402, F.S.; saving the fund from expiration; clarifying duties of the Supreme Court with respect to use of the fund; allowing the use of funds for the operation of trial courts; providing a contingent effective date.

—was read the second time by title.

## SENATOR SILVER PRESIDING

Senator Cowin moved the following amendment which was adopted:

**Amendment 1 (823430)(with title amendment)**—On page 3, lines 7-30, delete those lines and insert:

1. Funds paid to counties with populations fewer than 90,000 shall be grants-in-aid to be used, in priority order, for: operating expenditures of the offices of the state attorneys and public defenders ~~in accordance with Specific Appropriation 2978B~~; consulting or architectural studies related to the improvement of courthouse facilities; improving court facilities to ensure compliance with the Americans with Disabilities Act and other federal or state requirements; other renovations in court facilities; improvements in court security; and expert witness fees in criminal cases, court reporting and transcribing costs in criminal cases, and costs associated with the appointment of special public defenders.

2. Funds paid to counties with populations exceeding 89,999 shall be grants-in-aid to be used, in priority order, for operating expenditures of the offices of the state attorneys and public defenders ~~in accordance with Specific Appropriation 2978B~~, costs paid by the county for expert witness fees in criminal cases, court reporting and transcribing costs in criminal cases, and costs associated with the appointment of special public defenders.

3. *Funds may be appropriated for the operation of trial courts.*

(2) This section expires *January 1, 2006* ~~June 30, 2002~~.

Section 2. Effective July 1, 2002, subsection (2) of section 318.21, Florida Statutes, as amended by chapters 97-235, 98-280, 98-403, 2000-139, and 2001-122, Laws of Florida, is amended to read:

318.21 Disposition of civil penalties by county courts.—All civil penalties received by a county court pursuant to the provisions of this chapter shall be distributed and paid monthly as follows:

(Substantial rewording of subsection. See s. 318.21(2), F.S., for present text.)

(2) *Of the remainder:*

(a) *Five and six-tenths percent shall be remitted to the Department of Revenue for deposit in the General Revenue Fund of the state, except that the first \$300,000 shall be deposited into the Grants and Donations Trust Fund in the state courts system for administrative costs, training costs, and costs associated with the implementation and maintenance of Florida foster care citizen review panels in a constitutional charter county as provided for in s. 39.702.*

(b) *Seven and two-tenths percent shall be remitted to the Department of Revenue for deposit in the Emergency Medical Services Trust Fund for the purposes set forth in s. 401.113.*

(c) *Five and one-tenth percent shall be remitted to the Department of Revenue for deposit in the Additional Court Cost Clearing Trust Fund established pursuant to s. 938.01 for criminal justice purposes.*

(d) *Eight and two-tenths percent shall be remitted to the Department of Revenue for deposit in the Brain and Spinal Cord Injury Rehabilitation Trust Fund for the purposes set forth in s. 381.79.*

(e) *Two percent shall be remitted to the Department of Revenue for deposit in the endowment fund of the Florida Endowment Foundation for Vocational Rehabilitation established by s. 413.615.*

(f) *Five-tenths percent shall be paid to the clerk of the court for administrative costs.*

(g)1. *If the violation occurred within a municipality or a special improvement district of the Seminole Indian Tribe or Miccosukee Indian Tribe, 56.4 percent shall be paid to that municipality or special improvement district.*

2. *If the violation occurred within the unincorporated area of a county that is not within a special improvement district of the Seminole Indian Tribe or Miccosukee Indian Tribe, 56.4 percent shall be paid to that county.*

(h) *Fifteen percent must be deposited into the County Article V Trust Fund.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 7, following the semicolon (;) insert: revising authorized uses of the fund; amending s. 318.21, F.S.; providing for disposition of certain civil penalty revenues into the fund;

On motion by Senator Cowin, by two-thirds vote **SB 8-B** as amended was read the third time by title, passed by the required constitutional three-fifths vote of the membership, ordered engrossed and certified to the House. The vote on passage was:

Yeas—28

Burt	King	Pruitt
Campbell	Klein	Saunders
Clary	Latvala	Sebesta
Constantine	Laurent	Silver
Cowin	Lee	Smith
Diaz de la Portilla	Meek	Villalobos
Dyer	Miller	Wasserman Schultz
Futch	Mitchell	Wise
Garcia	Peaden	
Holzendorf	Posey	

Nays—4

Dawson	Jones	Rossin
Geller		

Vote after roll call:

Yea—Webster

**SB 10-B**—A bill to be entitled An act relating to the pilot program for attorneys ad litem for dependent children; amending s. 39.4086, F.S.; providing that the program be funded according to specific appropriation; providing an effective date.

—was read the second time by title. On motion by Senator Cowin, by two-thirds vote **SB 10-B** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Burt	Garcia	Meek
Clary	Geller	Miller
Constantine	Holzendorf	Mitchell
Cowin	King	Peaden
Dawson	Klein	Posey
Diaz de la Portilla	Latvala	Pruitt
Dyer	Laurent	Sanderson
Futch	Lee	Saunders

Sebesta	Sullivan	Webster
Silver	Villalobos	Wise
Smith	Wasserman Schultz	

Nays—3

Campbell	Jones	Rossin
----------	-------	--------

**SB 12-B**—A bill to be entitled An act relating to disposition of civil penalties; amending s. 318.21, F.S.; revising directives relating to distribution of civil penalties by county courts; providing an effective date.

—was read the second time by title.

Senator Cowin moved the following amendment which was adopted:

**Amendment 1 (183422)**—On page 1, line 25, following the comma (,) insert: 2002.

## THE PRESIDENT PRESIDING

### INTRODUCTION OF FORMER SENATOR

President McKay introduced former Senator Tom Gallen who was present in the chamber.

### SENATOR SILVER PRESIDING

On motion by Senator Cowin, by two-thirds vote **SB 12-B** as amended was read the third time by title, passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—27

Burt	Geller	Pruitt
Campbell	Holzendorf	Sanderson
Clary	King	Saunders
Constantine	Latvala	Sebesta
Cowin	Laurent	Smith
Diaz de la Portilla	Lee	Sullivan
Dyer	Miller	Villalobos
Futch	Mitchell	Webster
Garcia	Posey	Wise

Nays—7

Dawson	Meek	Silver
Jones	Rossin	Wasserman Schultz
Klein		

Vote after roll call:

Yea—Peaden

## THE PRESIDENT PRESIDING

### REPORTS OF COMMITTEES

October 24, 2001

The Committee on Rules and Calendar respectfully recommends a revision to the following Senate Rules: Rule 1.43, Rule 1.444(11), Rule 4.10, Rule 7.2 and Rule 7.9.

Sincerely yours,  
Tom Lee, Chairman

### 1.43—Open meetings

(1) All meetings at which legislative business is discussed among any two (2) or more Senators shall be open to the public except:

(a) *at the sole discretion of the President of the Senate, after consultation with appropriate law enforcement, public health, emergency management and/or security authorities, those portions of meetings of a select committee, committee, or subcommittee, concerning measures to address security, espionage, sabotage, attack and other acts of terrorism.*

*This paragraph stands repealed upon sine die of the 2003 regular session of the Florida Legislature, unless prior to that date, it is readopted by the Florida Senate.*

(b) meetings between two (2) Senators to exchange information provided the purpose of the meeting between the two (2) Senators is not to agree upon final action that will be taken at a subsequent meeting. Discussions on the floor while the Senate is in session and discussions among Senators in a committee room during committee meetings shall be deemed to be in compliance with this Rule.

(2) All meetings shall be subject to appropriate order and decorum at the discretion of the person conducting the meeting.

(3) For purposes of this Rule "legislative business" is defined as issues pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate Committee, or Senate Subcommittee.

**1.444—Legislative records; maintenance, control, destruction, disposal, and disposition—add new rule subsection—**

(11) *All records, research, information, remarks, and staff work products, made or received during or in preparation for a closed meeting of a select committee, committee, or subcommittee together with the vote on each action considered in a closed meeting shall be confidential and exempt from inspection and copying, unless the confidentiality and the prohibition against inspection and copying is removed by the President of the Senate. Unless the above-listed confidential and exempt items have been earlier released by the President of the Senate, they shall automatically become available for public inspection and copying five years after the date of the closed meeting, unless this confidentiality and exemption is extended by the President of the Senate for subsequent five-year periods.*

**4.10—Reference to different committee or removal**

(1) When the President has referred a bill, the Chairman of the Committee on Rules and Calendar may move for reference to a different committee or for removal from any committee after the sponsor of the bill has filed a card with the Rules Chairman signed by the chairman of the affected committee and the Chairman of the Committee on Rules and Calendar. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

(2) The Chairman of the Committee on Appropriations may move to withdraw a bill from that committee provided the bill has been reported favorably by a standing subcommittee and a card requesting such withdrawal has been filed with the committee by the sponsor and approved by the chairman. This motion may be adopted by a two-thirds (2/3) vote of those Senators present, *and shall have the effect of the bill having been reported favorably by the Committee on Appropriations as recommended by the subcommittee.*

**7.2—Adoption**

(1) ~~Amendments may be adopted~~ On second (2nd) reading, *amendments may be adopted* by a majority vote of those Senators present.

(2) ~~and~~ On third (3rd) reading, *amendments and amendments to amendments shall be adopted* by a two-thirds (2/3) vote of those Senators present. Amendments to the title or corrective amendments may be decided, without debate, by a majority vote of those Senators present on third (3rd) reading.

**7.9—House refusal to concur in Senate amendment**

(1) If the House shall refuse to concur in a Senate amendment to a House bill, ~~the Senate may: the following motions shall be in order and shall be privileged in the order named:~~

- ~~That the Senate Recede,~~
- ~~That the Senate Insist that the House concur and request and ask for a conference committee, or~~
- ~~That the Senate Insist that the House concur.~~

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators present.

The Committee on Rules and Calendar offered the following amendment to Rule 1.444 which was moved by Senator Lee and adopted by two-thirds vote:

**1.444—Legislative records; maintenance, control, destruction, disposal, and disposition—add new rule subsection—**

(11) *All records, research, information, remarks, and staff work products, made or received during or in preparation for a closed meeting of a select committee, committee, or subcommittee, shall be confidential and exempt from inspection and copying for a period of 30 days after the closed meeting, at which time they will automatically become legislative public records open to inspection and copying, unless the confidentiality and the prohibition against inspection and copying has, within the 30-day period, been extended by the President of the Senate. Unless the above-listed confidential and exempt items have been earlier released by operation of this Rule, they shall automatically become available for public inspection and copying five years after the date of the closed meeting, unless this confidentiality and exemption is further extended by the President of the Senate for subsequent five-year periods.*

**MOTION**

On motion by Senator Lee, the report of the Committee on Rules and Calendar as amended was adopted.

**SPECIAL ORDER CALENDAR, continued**

**SB 14-B**—A bill to be entitled An act relating to the Crime Stoppers Trust Fund; amending s. 16.555, F.S.; providing directives for use of moneys in the fund; providing an effective date.

—was read the second time by title.

On motion by Senator Cowin, further consideration of **SB 14-B** was deferred.

Consideration of **SB 16-B** was deferred.

**SB 34-B**—A bill to be entitled An act relating to taxes on intangible personal property; amending s. 199.185, F.S.; reducing the amount of the exemptions provided to natural persons; deleting the exemption provided to other taxpayers; providing an effective date.

—was read the second time by title. On motion by Senator Pruitt, by two-thirds vote **SB 34-B** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Jones	Rossin
Burt	King	Sanderson
Campbell	Klein	Saunders
Clary	Latvala	Sebesta
Constantine	Laurent	Silver
Dawson	Lee	Smith
Diaz de la Portilla	Meek	Sullivan
Dyer	Miller	Villalobos
Futch	Mitchell	Wasserman Schultz
Garcia	Peaden	Webster
Geller	Posey	
Holzendorf	Pruitt	

Nays—1

Wise

Vote after roll call:

Yea—Carlton

**CS for SB 18-B**—A bill to be entitled An act relating to student financial assistance; amending s. 240.40201, F.S.; revising the eligibility period for the Florida Bright Futures Scholarship Program; redesignating the Florida Merit Scholarship as the Florida Medallion Scholarship; amending s. 240.40202, F.S.; defining terms; revising application dates; providing for initial acceptance of a scholarship, to conform; amending s. 240.40203, F.S.; defining terms; providing conditions for awards to students in programs that confer postbaccalaureate degrees; conforming

provisions; amending s. 240.40204, F.S.; eliminating obsolete provisions; amending s. 240.40205, F.S.; eliminating obsolete provisions; designating an award level for a Florida Academic Scholarship; amending s. 240.40206, F.S.; conforming provisions; increasing requirements for earning a Florida Medallion Scholarship; designating award levels; eliminating obsolete provisions; amending s. 240.40207, F.S.; increasing the eligibility requirements for earning the Florida Gold Seal Vocational Scholarship; designating award levels; eliminating obsolete provisions; amending s. 240.40209, F.S.; providing for the calculation of awards; amending s. 240.404, F.S.; requiring a report; providing certain limitations on eligibility for various state student grant programs; repealing s. 240.40208, F.S., relating to a transition from certain scholarships to the Bright Futures Program; providing an effective date.

—was read the second time by title.

Senator Sullivan moved the following amendment which was adopted:

**Amendment 1 (705976)**—On page 4, line 28, through page 5, line 20, delete those lines and insert:

Section 2. Paragraphs (b) and (f) of subsection (1) and subsection (2) of section 240.40202, Florida Statutes, are amended to read:

240.40202 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(1) To be eligible for an initial award from any of the three types of scholarships under the Florida Bright Futures Scholarship Program, a student must:

(b) Earn a standard Florida high school diploma or its equivalent as described in s. 232.246 or s. 229.814 unless:

1. The student is enrolled full time in the early admission program of an eligible postsecondary education institution or completes a home education program according to s. 232.0201; or

2. The student earns a high school diploma from a non-Florida school while living with a parent or guardian who is on military or public service assignment away from Florida. *The term “public service assignment,” as used in this subparagraph, means the occupational assignment outside this state of a person who is a permanent resident of this state and who is employed by the United States Government or the State of Florida conditioned upon assignment outside this state.*

(f) Apply for a scholarship from the program *within 2 years after* ~~by April 1 of the last semester before~~ high school graduation.

## SENATOR BURT PRESIDING

Senator Cowin moved the following amendment which failed:

**Amendment 2 (861544)(with title amendment)**—On page 8, lines 5 and 9, delete “110 percent of”

And the title is amended as follows:

On page 1, line 11, delete that line and insert: amending s. 240.40203, F.S.; reducing the total number of college credit-hours for which a student may use an award; defining terms;

Senator Pruitt offered the following amendment which was moved by Senator Villalobos and adopted:

**Amendment 3 (615210)(with title amendment)**—On page 12, lines 26-28, delete those lines and insert:

(a) Has achieved a weighted grade point average of 3.0 as calculated

And the title is amended as follows:

On page 1, lines 19-21, delete those lines and insert: 240.40206, F.S.; conforming provisions; designating award

Senator Cowin moved the following amendment which was adopted:

**Amendment 4 (865800)**—On page 14, line 5, and on page 16, line 8, delete “\$1,900” and insert: \$2,000

Senator Pruitt offered the following amendment which was moved by Senator Villalobos and adopted:

**Amendment 5 (722446)(with title amendment)**—On page 15, lines 17-20, delete those lines and insert:

(c) Earns a minimum cumulative weighted grade point average of 3.0, as calculated pursuant to s. 240.40202, on all

And the title is amended as follows:

On page 1, lines 23-25, delete those lines and insert: amending s. 240.40207, F.S.;

Senator Sullivan moved the following amendment which was adopted:

**Amendment 6 (972764)**—On page 19, line 19, after the word “grant” insert: *in the same term*

On motion by Senator Sullivan, by two-thirds vote **CS for SB 18-B** as amended was read the third time by title, passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—20

Burt	King	Sanderson
Clary	Laurent	Saunders
Constantine	Lee	Sebesta
Dawson	Meek	Sullivan
Futch	Miller	Villalobos
Holzendorf	Peaden	Wise
Jones	Pruitt	

Nays—10

Campbell	Klein	Rossin
Cowin	Mitchell	Wasserman Schultz
Dyer	Posey	Webster
Geller		

Vote after roll call:

Yea—Garcia, Smith

**CS for SB 20-B**—A bill to be entitled An act relating to public school funding; providing for school district flexibility in the 2001-2002 fiscal year expenditure of specified funds appropriated in ch. 2001-253, Laws of Florida; providing for reports; delaying the requirement in s. 230.23, F.S., that the adopted school board budget include a reserve for funding a supplement; delaying the requirement in s. 235.061, F.S., relating to relocatables for long-term use; delaying the requirement in s. 235.062, F.S., relating to relocatable facilities; providing for repeal; providing an effective date.

—was read the second time by title.

Senator Wasserman Schultz moved the following amendment:

**Amendment 1 (775014)(with title amendment)**—On page 3, lines 11-18, delete those lines and redesignate subsequent subsection and insert:

And the title is amended as follows:

On page 1, lines 9-13, delete those lines and insert: reserve for funding a supplement; providing for repeal;

Senators Sullivan and Wasserman Schultz offered the following substitute amendment which was moved by Senator Sullivan and adopted:

**Amendment 2 (293110)(with title amendment)**—On page 3, between lines 19 and 20, insert:

(8) *To take advantage of the delayed dates authorized in subsections (5) and (6), a school district must:*

(a) *First use the authority for the transfer of funds provided by subsections (1)-(4) before using the flexibility provided by subsections (5) and (6).*

(b) *Submit to the Department of Education a plan that identifies how the school district will fully comply with standards for relocatable classrooms by July 1, 2003, and will fully comply with the requirements of section 235.062, Florida Statutes, by July 1, 2004.*

And the title is amended as follows:

On page 1, line 13, after the first semicolon (;) insert: establishing conditions for certain spending authority;

On motion by Senator Sullivan, by two-thirds vote **CS for SB 20-B** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Burt	King	Sanderson
Campbell	Klein	Saunders
Carlton	Latvala	Sebesta
Clary	Laurent	Silver
Constantine	Lee	Smith
Cowin	Meek	Sullivan
Dawson	Miller	Villalobos
Diaz de la Portilla	Mitchell	Wasserman Schultz
Futch	Peaden	Webster
Geller	Posey	Wise
Holzendorf	Pruitt	
Jones	Rossin	

Nays—None

Vote after roll call:

Yea—Garcia

---

Consideration of **CS for SB 22-B** was deferred.

---

**CS for SB 24-B**—A bill to be entitled An act relating to construction of transportation facilities; amending s. 337.107, F.S.; allowing the Department of Transportation, until July 1, 2003, to include right-of-way services as part of design-build contracts; amending s. 337.11, F.S.; broadening, until July 1, 2003, the list of transportation projects that may be awarded as design-build contracts; specifying that construction of any portion of a project under a design-build contract may not begin until title to the necessary rights-of-way and easements for that portion has vested in the state or a local governmental entity and all railroad crossing and utility agreements have been executed; providing an effective date.

—was read the second time by title. On motion by Senator Clary, by two-thirds vote **CS for SB 24-B** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Burt	Jones	Rossin
Campbell	King	Sanderson
Carlton	Klein	Saunders
Clary	Latvala	Sebesta
Constantine	Laurent	Silver
Cowin	Lee	Smith
Dawson	Meek	Sullivan
Diaz de la Portilla	Miller	Villalobos
Dyer	Mitchell	Wasserman Schultz
Futch	Peaden	Webster
Geller	Posey	Wise
Holzendorf	Pruitt	

Nays—None

Vote after roll call:

Yea—Garcia

---

**CS for SB 26-B**—A bill to be entitled An act relating to the Agency for Health Care Administration; amending s. 409.903, F.S.; revising

standards for eligibility for certain mandatory medical assistance; repealing s. 409.904(11), F.S., which provides eligibility of specified persons for certain optional medical assistance; amending s. 409.904, F.S.; revising standards for eligibility for certain optional medical assistance; amending s. 409.906, F.S.; revising eligibility for certain Medicaid services and methods of delivering services; amending s. 409.9065, F.S.; prescribing additional eligibility standards with respect to pharmaceutical expense assistance; amending s. 409.907, F.S.; authorizing withholding of Medicaid payments in certain circumstances; prescribing additional requirements with respect to providers' submission of information; prescribing additional duties for the agency with respect to provider applications; amending s. 409.9116, F.S.; revising the disproportionate share programs for rural hospitals; eliminating financial assistance program for certain rural hospitals; amending s. 409.912, F.S.; revising the reimbursement rate to pharmacies for Medicaid prescribed drugs; amending s. 409.913, F.S.; prescribing additional sanctions that may be imposed upon a Medicaid provider; eliminating a limit on costs that may be recovered against a provider; amending s. 409.915, F.S.; revising the limit on a county's payment for certain Medicaid costs; providing that the act fulfills an important state interest; amending s. 409.908, F.S.; revising pharmacy dispensing fees for Medicaid drugs; repealing s. 400.0225, F.S., relating to consumer-satisfaction surveys; amending s. 400.191, F.S.; eliminating a provision relating to consumer-satisfaction and family-satisfaction surveys; amending s. 400.235, F.S.; eliminating a provision relating to participation in the consumer-satisfaction process; repealing s. 400.148, F.S., relating to the Medicaid "Up-or-Out" Quality of Care Contract Management Program; amending s. 400.071, F.S.; eliminating a provision relating to participation in a consumer-satisfaction-measurement process; amending s. 409.815, F.S.; conforming a cross-reference; providing effective dates.

—was read the second time by title.

#### MOTION

On motion by Senator Silver, the rules were waived to allow the following amendment to be considered:

Senator Silver moved the following amendment which was adopted:

**Amendment 1 (751928)**—On page 25, line 30 through page 26, line 2, delete those lines and insert:

(f) *Imposition of liens against provider assets, including, but not limited to, financial assets and real property, not to exceed the amount of fines or recoveries sought, upon entry of an order by a court determining that such moneys are due or recoverable.*

On motion by Senator Silver, further consideration of **CS for SB 26-B** as amended was deferred.

---

**CS for SB 22-B**—A bill to be entitled An act relating to compensation of state officials; prescribing the salary rate for specified state officials; providing an expiration date and an effective date.

—was read the second time by title.

Senator Carlton offered the following amendment which was moved by Senator Pruitt and adopted:

**Amendment 1 (870094)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 11.13, Florida Statutes, is amended to read:

11.13 Compensation of members.—

(1)(a) The annual salaries of members of the Senate and House of Representatives, payable in 12 equal monthly installments, shall be:

1. The President of the Senate and Speaker of the House of Representatives, \$25,000 each.

2. All other members of the Senate and House of Representatives, \$18,000 each.

(b) Effective July 1, 1986, and each July 1 thereafter, the annual salaries of members of the Senate and House of Representatives shall be adjusted by the average percentage increase in the salaries of state career service employees for the fiscal year just concluded. The Appropriations Committee of each house shall certify to the Office of Legislative Services the average percentage increase in the salaries of state career service employees before July 1 of each year. The Office of Legislative Services shall, as of July 1 of each year, determine the adjusted annual salaries as provided herein.

(c) *For the remainder of the 2001-2002 fiscal year only, the monthly compensation provided to members of the Senate and House of Representatives pursuant to this subsection shall be an amount equal to the monthly installment of the annual salary established pursuant to paragraphs (a) and (b) that was payable for the 2000-2001 fiscal year. This paragraph is repealed July 1, 2002.*

Section 2. This act shall take effect December 1, 2001.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to compensation of legislators; amending s. 11.13, F.S.; reducing the compensation of legislators for a specified period; providing for future repeal of such reduction; providing an effective date.

WHEREAS, the terrorist attacks on the World Trade Center in New York City and the Pentagon in Washington, D.C., on September 11, 2001, have unfortunately accelerated and deepened a downturn in the national economy which has affected not only other national economies around the world but also local economies across this country, especially the economies of states like Florida which are dependent upon tourism for a significant portion of their revenues, and

WHEREAS, this economic downturn has forced some businesses in the state and around the country to downsize or restructure to remain viable and this reduction or restructuring has led to reductions in pay and benefits for some employees and layoffs for others, and

WHEREAS, this economic downturn has led to concomitant reductions and restructuring in the public sector as well, and

WHEREAS, accordingly, it is the intent of the members of the Legislature to join our fellow citizens in this state and across the country in doing our part not only to economize and help restore the state and national economies but more significantly to show our solidarity and resolve as a people in the face of the despicable assault of September 11th on our nation and way of life, NOW, THEREFORE,

Pending further consideration of **CS for SB 22-B** as amended, on motion by Senator Pruitt, by two-thirds vote **HB 1-B** was withdrawn from the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

On motion by Senator Pruitt, the rules were waived and by two-thirds vote—

**HB 1-B**—A bill to be entitled An act relating to compensation of legislators; amending s. 11.13, F.S.; reducing the compensation of legislators for a specified period; providing for future repeal of such reduction; providing an effective date.

—a companion measure, was substituted for **CS for SB 22-B** as amended.

## RECONSIDERATION OF BILL

On motion by Senator Latvala, by two-thirds vote the Senate reconsidered the vote by which **HB 1-B** was substituted for **CS for SB 22-B** as amended.

The Senate resumed consideration of—

**CS for SB 22-B**—A bill to be entitled An act relating to compensation of state officials; prescribing the salary rate for specified state officials; providing an expiration date and an effective date.

—which was previously considered and amended this day.

On motion by Senator Carlton, the Senate reconsidered the vote by which **Amendment 1** was adopted. **Amendment 1** was withdrawn.

On motion by Senator Carlton, by two-thirds vote **CS for SB 22-B** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Burt	Holzendorf	Rossin
Campbell	Jones	Sanderson
Carlton	King	Saunders
Clary	Klein	Sebesta
Constantine	Latvala	Silver
Cowin	Laurent	Smith
Dawson	Lee	Sullivan
Diaz de la Portilla	Meek	Villalobos
Dyer	Mitchell	Wasserman Schultz
Futch	Peaden	Webster
Garcia	Posey	Wise
Geller	Pruitt	

Nays—None

Vote after roll call:

Yea—Miller

## THE PRESIDENT PRESIDING

The Senate resumed consideration of—

**SB 14-B**—A bill to be entitled An act relating to the Crime Stoppers Trust Fund; amending s. 16.555, F.S.; providing directives for use of moneys in the fund; providing an effective date.

—which was previously considered this day.

On motion by Senator Cowin, by two-thirds vote **SB 14-B** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Geller	Posey
Burt	Holzendorf	Pruitt
Campbell	Jones	Rossin
Carlton	King	Sanderson
Clary	Klein	Saunders
Constantine	Latvala	Sebesta
Cowin	Laurent	Silver
Dawson	Lee	Smith
Diaz de la Portilla	Meek	Sullivan
Dyer	Miller	Villalobos
Futch	Mitchell	Wasserman Schultz
Garcia	Peaden	Wise

Nays—None

Vote after roll call:

Yea—Webster

**SB 16-B**—A bill to be entitled An act relating to the Florida Motor Vehicle Theft Prevention Trust Fund; amending s. 860.158, F.S.; providing directives for the use of moneys in the fund; providing an effective date.

—was read the second time by title. On motion by Senator Cowin, by two-thirds vote **SB 16-B** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Campbell	Clary
Burt	Carlton	Constantine

Cowin	Klein	Sanderson
Diaz de la Portilla	Laurent	Saunders
Dyer	Lee	Sebesta
Futch	Meek	Silver
Garcia	Miller	Smith
Geller	Mitchell	Sullivan
Holzendorf	Peaden	Villalobos
Jones	Posey	Wasserman Schultz
King	Pruitt	Wise

Nays—None

Vote after roll call:

Yea—Webster

---

The Senate resumed consideration of—

**CS for SB 26-B**—A bill to be entitled An act relating to the Agency for Health Care Administration; amending s. 409.903, F.S.; revising standards for eligibility for certain mandatory medical assistance; repealing s. 409.904(11), F.S., which provides eligibility of specified persons for certain optional medical assistance; amending s. 409.904, F.S.; revising standards for eligibility for certain optional medical assistance; amending s. 409.906, F.S.; revising eligibility for certain Medicaid services and methods of delivering services; amending s. 409.9065, F.S.; prescribing additional eligibility standards with respect to pharmaceutical expense assistance; amending s. 409.907, F.S.; authorizing withholding of Medicaid payments in certain circumstances; prescribing additional requirements with respect to providers' submission of information; prescribing additional duties for the agency with respect to provider applications; amending s. 409.9116, F.S.; revising the disproportionate share programs for rural hospitals; eliminating financial assistance program for certain rural hospitals; amending s. 409.912, F.S.; revising the reimbursement rate to pharmacies for Medicaid prescribed drugs; amending s. 409.913, F.S.; prescribing additional sanctions that may be imposed upon a Medicaid provider; eliminating a limit on costs that may be recovered against a provider; amending s. 409.915, F.S.; revising the limit on a county's payment for certain Medicaid costs; providing that the act fulfills an important state interest; amending s. 409.908, F.S.; revising pharmacy dispensing fees for Medicaid drugs; repealing s. 400.0225, F.S., relating to consumer-satisfaction surveys; amending s. 400.191, F.S.; eliminating a provision relating to consumer-satisfaction and family-satisfaction surveys; amending s. 400.235, F.S.; eliminating a provision relating to participation in the consumer-satisfaction process; amending s. 400.071, F.S.; eliminating a provision relating to participation in a consumer-satisfaction-measurement process; amending s. 409.815, F.S.; conforming a cross-reference; providing effective dates.

—which was previously considered and amended this day.

Senator Silver moved the following amendment which was adopted:

**Amendment 2 (861854)(with title amendment)**—On page 31, lines 6 and 7, delete section 17 and renumber subsequent sections.

And the title is amended as follows:

On page 2, lines 14-16, delete those lines and insert: process; amending s.

On motion by Senator Silver, by two-thirds vote **CS for SB 26-B** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—26

Mr. President	Garcia	Sanderson
Burt	Geller	Saunders
Campbell	King	Sebesta
Carlton	Latvala	Silver
Clary	Laurent	Smith
Constantine	Lee	Sullivan
Diaz de la Portilla	Peaden	Villalobos
Dyer	Posey	Wise
Futch	Pruitt	

Nays—9

Cowin	Klein	Mitchell
Dawson	Meek	Rossin
Jones	Miller	Wasserman Schultz

Vote after roll call:

Yea—Webster

Nay—Holzendorf

Yea to Nay—Dyer, Smith

---

**SB 54-B**—A bill to be entitled An act relating to local governments in a state of financial emergency; amending s. 218.503, F.S.; specifying the municipalities that may impose a surcharge on the gross revenues of certain parking facilities; providing an effective date.

—was read the second time by title. On motion by Senator Silver, by two-thirds vote **SB 54-B** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Holzendorf	Rossin
Burt	Jones	Sanderson
Campbell	King	Saunders
Carlton	Klein	Sebesta
Clary	Latvala	Silver
Constantine	Laurent	Smith
Cowin	Lee	Sullivan
Dawson	Meek	Villalobos
Diaz de la Portilla	Miller	Wasserman Schultz
Dyer	Mitchell	Webster
Futch	Peaden	Wise
Garcia	Posey	
Geller	Pruitt	

Nays—None

#### STATEMENT OF INTENT REGARDING SB 54-B

The following Statement of Intent was read into the record by Senator Silver prior to the vote being taken on SB 54-B: It is the intent of the Legislature that this act is merely a clarification of existing law as passed in the 1999 regular session of the Legislature. The use of proceeds of interest collected and expended pursuant to section 218.503(5), Florida Statutes prior to the effective date of this act is ratified. All acts and proceedings, including enforcement procedures, taken in connection with a parking surcharge imposed by a municipality before the date this act becomes a law are ratified, validated and confirmed.

*Ronald A. Silver, 38th District*

---

#### CONFEREES APPOINTED

The President appointed the following conferees on **CS for SB 2-B** and **CS for SB 4-B**: Senator Carlton, Chairman; Senator Lee, At Large Member; Senators Clary, Jones, King, Laurent, Lawson, Sullivan, Dyer, Garcia, Holzendorf, Latvala, Miller, Webster, Silver, Mitchell, Peaden, Sanderson, Saunders, Cowin, Burt, Dawson, Meek and Pruitt

---

#### CONFEREES APPOINTED

The President appointed the following conferees on **SB 34-B, SB 6-B, SB 8-B, SB 10-B, SB 12-B, SB 14-B, SB 16-B, CS for SB 18-B, CS for SB 20-B, CS for SB 22-B, CS for SB 24-B** and **CS for SB 26-B**: Senator Carlton, Chairman; Senator Lee, At Large Member; Senators Clary, Sullivan, Silver, Cowin and Pruitt

#### ANNOUNCEMENTS

Senator Lee announced that the Special Order Subcommittee of the Committee on Rules and Calendar will meet 15 minutes after recess to

establish the Special Order Calendar for the session on Tuesday, October 30.

Senator Lee announced that the Select Committee on Public Security and Crisis Management will meet Friday, October 26 from 9:00 a.m. until 12:00 noon.

Senator Lee announced that the following meetings were scheduled for Tuesday, October 30: from 12:30 p.m. to 2:30 p.m., the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; Judiciary; and Natural Resources; and from 3:00 p.m. to 5:00 p.m., the Committees on Agriculture and Consumer Services; Governmental Oversight and Productivity; Health, Aging and Long-Term Care; and Transportation.

Senator Lee announced that the following meetings were scheduled for Wednesday, October 31: from 9:00 a.m. to 11:00 a.m., the Committees on Banking and Insurance; Criminal Justice; and Education; and from 2:00 p.m. to 4:00 p.m., the Committees on Children and Families; Ethics and Elections; and Regulated Industries.

Senator Lee announced that the amendment deadline is two hours prior to each meeting.

Senator Lee announced a deadline of 5:00 p.m. Monday, October 29 for filing amendments to be considered at the session on Tuesday, October 30.

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, October 30, 2001: CS for SB 74-B, CS for SB 76-B, CS for SB 78-B, CS for SB 80-B, CS for SB 58-B, CS for SB 60-B, CS for SB 62-B, CS for SB 64-B, CS for SB 66-B, CS for SB 68-B, CS for SB 70-B, CS for SB 72-B, CS for SB 56-B, CS for SB 30-B, CS for SB 32-B, CS for SB 38-B, SB 48-B, SB 52-B, SB 40-B, CS for SB 42-B, SB 94-B

Respectfully submitted,  
Tom Lee, Chairman

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 52-B

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 40-B

The Committee on Transportation recommends the following pass: SB 48-B with 1 amendment, SB 94-B with 1 amendment

**The bills contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.**

The Committee on Agriculture and Consumer Services recommends a committee substitute for the following: SB 72-B

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 38-B

The Committee on Criminal Justice recommends committee substitutes for the following: SB 74-B, SB 76-B, SB 78-B, SB 80-B

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 56-B, SB 58-B, SB 60-B, SB 62-B, SB 64-B, SB 66-B, SB 68-B, SB 70-B

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 42-B

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.**

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senators Clary and Posey—

**CS for SB 38-B**—A bill to be entitled An act relating to the Florida Building Code; amending s. 553.415, F.S.; delaying the date for inclusion of the Uniform Code for Public Education Facilities in the Florida Building Code; providing an effective date for the Florida Building Code; amending s. 135 of ch. 2000-141, Laws of Florida, and ss. 62(2) and 68 of ch. 98-287, Laws of Florida, as amended; delaying the amendment, repeal, and transfer and renumbering of specified sections of the Florida Statutes; amending s. 627.0629, F.S.; delaying a deadline by which insurance companies are required to make certain rate filings; providing for the adoption of an administrative rule; providing for the treatment of permit applications submitted before the effective date of the code; requiring local jurisdictions to enact ordinances establishing wind speed lines; providing an effective date.

By the Committee on Banking and Insurance; and Senators Burt and Mitchell—

**CS for SB 42-B**—A bill to be entitled An act relating to health insurance for persons called to active military duty; amending s. 627.6692, F.S.; specifying that the termination of employment of an employee during or after a period of active military duty constitutes a separate qualifying event for purposes of allowing the employee to elect to continue coverage under the employer's group health plan; specifying when such coverage period begins; specifying other qualifying events that allow for continuation of coverage if a covered employee is called to active duty; tolling the maximum time period for which coverage may be continued under an employer's group health plan for an individual who has elected coverage and who is called to active military duty, for the time that the individual is covered under the federal TRICARE health care program; providing a time period within which the individual may elect to continue coverage under the employer's group health plan after TRICARE coverage terminates; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Garcia—

**CS for SB 56-B**—A bill to be entitled An act relating to governmental organization; amending s. 20.201, F.S., creating a Division of Capitol Police within the Department of Law Enforcement; transferring, renumbering, and amending s. 281.02, F.S.; providing for the powers and duties of the Division of Capitol Police; requiring the development of security plans; transferring, renumbering, and amending s. 281.03, F.S.; providing for investigations by the Division of Capitol Police; transferring, renumbering, and amending s. 281.04, F.S.; providing for persons arrested by an officer of the Division of Capitol Police to be delivered to the sheriff; transferring, renumbering, and amending s. 281.05, F.S.; providing for ex officio enforcement of rules and laws of the Florida Capitol Police by agents of other law enforcement organizations; transferring, renumbering, and amending s. 281.06, F.S.; authorizing the Department of Law Enforcement to contract with private security agencies to maintain the security of public premises; transferring, renumbering, and amending s. 281.07, F.S.; providing for enforcement of parking regulations of the Department of Management Services by the Division of Capitol Police; transferring, renumbering, and amending s. 281.08, F.S.; providing for the procurement of equipment by the Division of Capitol Police; transferring, renumbering, and amending s. 281.20, F.S.; providing for the President of the Senate and the Speaker of the House of Representatives to direct development and implementation of enhanced security plans for the Capitol Complex through the Division of Capitol Police; transferring, renumbering, and amending s. 281.301, F.S.; providing for continued exemption from the public records law for information relating to the security systems for property owned or leased by a state agency or political subdivision; transferring the powers, duties, and functions of the Division of Capitol Police from the Department of Management Services to the Department of Law Enforcement; providing for employment criteria and qualifications by affected employees; providing an effective date.



By the Committee on Governmental Oversight and Productivity; and Senators Brown-Waite, Smith and Crist—

**CS for SB 58-B**—A bill to be entitled An act relating to public records; creating s. 395.1056, F.S.; creating an exemption for those portions of hospital comprehensive emergency-management plans which address the response of a hospital to an act of terrorism; creating an exemption for meetings at which those plans are discussed; providing a statement of public necessity; providing an effective date.

---

By the Committee on Governmental Oversight and Productivity; and Senators Brown-Waite, Smith and Crist—

**CS for SB 60-B**—A bill to be entitled An act relating to public records; providing that information concerning the amount or type of pharmaceuticals or the location of pharmaceutical depositories maintained or directed by a state agency in response to an act of terrorism are exempt from public-records requirements; providing a statement of public necessity; providing an effective date.

---

By the Committee on Governmental Oversight and Productivity; and Senators Brown-Waite, Smith and Crist—

**CS for SB 62-B**—A bill to be entitled An act relating to public records and meetings; amending s. 281.301, F.S.; expanding an exemption from public-records requirements for security system plans that are in the custody of state agencies; expanding an exemption from public-meeting requirements for meetings at which such plans are discussed; providing for future repeal; providing a statement of public necessity; providing an effective date.

---

By the Committee on Governmental Oversight and Productivity; and Senators Brown-Waite, Smith and Crist—

**CS for SB 64-B**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing that cellular telephone numbers of law enforcement officers are exempt from public-records requirements; providing a statement of public necessity; providing an effective date.

---

By the Committee on Governmental Oversight and Productivity; and Senators Brown-Waite, Smith and Crist—

**CS for SB 66-B**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing that electronic paging device numbers of law enforcement officers are exempt from public-records requirements; providing a statement of public necessity; providing an effective date.

---

By the Committee on Governmental Oversight and Productivity; and Senators Brown-Waite, Smith and Crist—

**CS for SB 68-B**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; authorizing a delay in inspection or copying of a public record under limited circumstances; establishing procedures and standards; limiting the applicability of the provision; providing a statement of public necessity; providing an effective date.

---

By the Committee on Governmental Oversight and Productivity; and Senators Brown-Waite, Smith and Crist—

**CS for SB 70-B**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; creating an exemption from public-records requirements; providing that a request by a law enforcement agency from another agency for information from a public entity is exempt; providing that the response of a public entity to a law enforcement agency for information is exempt; providing a statement of public necessity; providing an effective date.

---

By the Committee on Agriculture and Consumer Services; and Senator Geller—

**CS for SB 72-B**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 487.051, F.S.; authorizing the department to adopt rules establishing requirements governing aircraft used for the aerial application of pesticides and requirements governing the storage and distribution of pesticides; amending s. 570.07, F.S.; conforming provisions; amending s. 576.181, F.S.; authorizing the department to adopt rules establishing requirements governing aircraft used for the aerial application of fertilizers and requirements governing the storage and distribution of fertilizers; amending s. 578.11, F.S.; authorizing the department to adopt rules establishing requirements governing aircraft used for the aerial application of seed; requiring that the department report to the Legislature on the implementation of any rule adopted as authorized by the act; creating s. 119.106, F.S.; requiring a person requesting certain public records to provide personal identification; providing an effective date.

---

By the Committee on Criminal Justice; and Senators Brown-Waite, Smith and Crist—

**CS for SB 74-B**—A bill to be entitled An act relating to terrorism; creating s. 775.30, F.S.; defining the term “terrorism” for use in the criminal code; providing an effective date.

---

By the Committee on Criminal Justice; and Senators Brown-Waite, Smith and Crist—

**CS for SB 76-B**—A bill to be entitled An act relating to sentencing; creating s. 775.31, F.S.; providing for the reclassification of offenses the commission of which facilitated or furthered any act of terrorism; defining the term “terrorism”; amending s. 782.04, F.S.; including any felony that is an act or terrorism or is in furtherance of an act of terrorism as a qualifying offense under the felony-murder provisions; creating the crime of felony-murder involving any felony that is an act of terrorism or is in furtherance of an act of terrorism; defining the term “terrorism”; amending s. 859.01, F.S.; making it a crime to introduce or add a poison, or introduce, add, or mingle any bacteria, virus, or chemical compound with food, drink, or medicine with intent to kill or injure; making it a crime to introduce, add, or mingle any bacteria, virus, or chemical compound in a spring, well, or reservoir with intent to kill or injure; providing an effective date.

---

By the Committee on Criminal Justice; and Senators Brown-Waite, Smith and Crist—

**CS for SB 78-B**—A bill to be entitled An act relating to the detention of material witnesses; authorizing circuit judges to order the detention of certain material witnesses for a prescribed period of time under specified circumstances; specifying when hearing must be held; providing for right to counsel; providing that requirements relating to detention of certain material witnesses do not abrogate common law; providing that detention of certain material witnesses is not an arrest for purposes of an employment application or application for professional licensure; providing for the future expiration of provisions granting such authority; providing an effective date.

---

By the Committee on Criminal Justice; and Senators Brown-Waite, Smith and Crist—

**CS for SB 80-B**—A bill to be entitled An act relating to the interception of communications; amending s. 934.07, F.S.; authorizing application by the Department of Law Enforcement of certain communications relevant to offenses that are acts of terrorism or in furtherance of acts of terrorism; amending s. 934.09, F.S.; allowing a judge, in investigations of acts of terrorism, to authorize the continued interception anywhere within the state of wire, oral, or electronic communications under specified conditions; providing for the future expiration of provisions granting such authority; providing an effective date.

**CORRECTION AND APPROVAL OF JOURNAL****RECESS**

The Journals of October 22 and 24 were corrected and approved.

**CO-SPONSORS**

Senator Crist—SB 58-B, SB 60-B, SB 68-B

On motion by Senator Lee, the Senate recessed at 4:45 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Tuesday, October 30 or upon call of the President.